

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICK A. YOUNG,

Plaintiff,

v.

ELDON VAIL, *et al*,

Defendants.

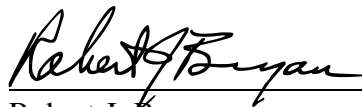
Case No. C04-5654RJB

ORDER GRANTING
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

The Court, having reviewed Defendants' motion for summary judgment (Dkt. 34), the Report and Recommendation of United States Magistrate Judge Karen L. Strombom (Dkt. 58), Plaintiff's objections to the Report and Recommendation (Dkt. 66), and the remaining record, does hereby find and ORDER:

- (1) In his objections, Plaintiff relies solely on the briefing already submitted (Dkt. 45) and raises no new arguments in support of his claims;
- (2) The Court adopts the Report and Recommendation;
- (2) Defendants' motion for summary judgment is GRANTED;
- (3) Plaintiff's complaint is hereby DISMISSED with prejudice;
- (4) As Defendants have not submitted a costs bill to this Court, Plaintiff's request that costs be stayed pending appeal to the 9th Circuit (Dkt. 66 at 2-3) is DENIED; and
- (5) The Clerk is directed to send copies of this Order to Plaintiff, Defendants' counsel, and Magistrate Judge Karen L. Strombom.

DATED this 10th day of April, 2006.



Robert J. Bryan
United States District Judge